

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CIVIL ACTION NO. 1:13cv50 (WOB-KLL)

CORY ISREAL

PETITIONER

VS.

JUDGMENT

WARDEN, LEBANON  
CORRECTIONAL INSTITUTION

RESPONDENT

This matter is before the Court on the Report and Recommendation of the United States Magistrate Judge (Doc. #13), and there being no objections filed despite several extensions, and the Court being sufficiently advised,

**IT IS ORDERED** that the Report and Recommendation (Doc. #13) be, and it hereby is, **adopted** as the findings of fact and conclusions of law of this Court; that the respondent's motion to dismiss (Doc. #8) is **GRANTED**, and petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. #5), is **DISMISSED** with prejudice on the ground that the petition is **time-barred** under U.S.C. § 2254(d). A certificate of appealability shall not issue with respect to any of the claims alleged herein. Pursuant to 28 U.S.C. § 1915(a)(3), any appeal of this judgment would not be taken in "good faith" and petitioner should therefore not be permitted to proceed *in forma pauperis*.

This 20th day of December, 2013.



**Signed By:**

**William O. Bertelsman** *WOB*

**United States District Judge**